

**Testimony of  
Shirley J. Shears  
Legal Aid of West Virginia  
Before the  
Special Committee on Aging  
US Senate  
September 9, 2003**

My name is Shirley J. Shears. I have been a paralegal with Legal Aid of West Virginia for over 18 years. Legal Aid of West Virginia annually obtains funding from the Legal Services Corporation to provide legal assistance to low-income individuals in civil matters.

An incident which occurred in my hometown, which was the subject of a segment on the news program 20/20 titled "When Nobody's Looking: People Robbed of Life Savings by Man Recommended by Social Security Administration" and was later aired on the show titled The Fleecing of America. Greg Gamble, a local business man, set up a non-profit corporation in the early 1990's, the Aurora Foundation, to be a representative payee for Social Security, V.A. beneficiaries and private funds for a fee. The corporation was essentially a one-person operation. The local Social Security office routinely told beneficiaries that the Aurora Foundation would be their payee; beneficiaries were not given a choice.

From time to time, beneficiaries complained to the local office about the manner in which their funds were handled. Those complaints were largely ignored; none were investigated.

In 1996 a letter was written by a beneficiary to Mr. Gamble complaining about the handling of his money, a copy was sent to the Social Security Administration. The letter noted his concern of accountability of the organization. He was allowed to discontinue using the Foundation as his payee, but no investigation of his complaint was made.

The Aurora victims are elderly, middle aged and young. Some are physically challenged, most are mentally ill. Many suffer from both physical and mental illnesses. Some of Mr. Gamble's victims were Vietnam Veterans, some suffer from HIV/AIDS. Regardless of the diagnosis they have one common thread, they are the most vulnerable of our society, people who are not capable of handling their own financial affairs. The victims must depend on someone else to pay bills and provide funds for basic needs. Some of the victims were afraid to make complaints concerning the handling of their money others either too ill or simply unaware of problems.

In early 1999, clients of the Aurora Foundation began getting notices for nonpayment of residential care homes, eviction notices for nonpayment of rent and letters from utility companies threatening to cut off services for nonpayment of bills. Several people were evicted from their apartments and became homeless. Greg Gamble as their representative payee had stolen their money for his own personal use. The money was gone. Safety deposit boxes were empty, life savings was wiped out and lump sum awards were gone. The money to live in comfort in old age was gone. The money stolen from the victims by Greg Gamble totaled over a quarter of million dollars.

In April 1999 an investigation from the inspector general's office was made concerning the Aurora Foundation. The Social Security Checks for 140 clients were intercepted. On April 5, 1999 the Aurora Foundation was shut down by court order. On April 12, 1999 Mr. Gamble admitted to fraud. He also filed bankruptcy. Although the Bankruptcy Judge has ruled that the debts to our clients, and other Aurora Foundation victims, are not dischargeable, Mr. Gamble has no assets from which to repay the individuals whom the Social Security put in his clutches. On April 14, 2000 Mr. Gamble entered guilty plea to one count of embezzlement of Social Security, V.A. and private funds. On June 8, 2000 he was sentenced to thirty-two months in prison to be followed by three years of supervised release.

Mr. Gamble's time in prison may be served but for his victims the nightmare is not over. The travesty is that several victims have died, some have been chronically homeless and most have given up hope of recovering their money.

The one hundred twenty-seven victims are in desperate need of relief. Protection must be given to prevent future victimization of beneficiaries by representative payees.

Thank you for the opportunity to present these view to you.